

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HERMÈS INTERNATIONAL and HERMÈS OF
PARIS, INC.,

Plaintiffs,

-against-

MASON ROTHSCHILD,

Defendant.

CIVIL ACTION NO.

22-CV-00384 (JSR)

DECLARATION OF ADAM B. OPPENHEIM, ESQ.

I, Adam B. Oppenheim, declare pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following is true and correct to the best of my knowledge, information, and belief:

1. I am a member in good standing of the bar of this Court, and am a member of Harris, St. Laurent & Wechsler, LLP (“HSW”), attorneys for Defendant Mason Rothschild in the above-captioned matter, and I submit this Declaration in support of Defendant’s Renewed Motion for Judgment as a Matter of Law or New Trial.

2. Attached hereto as Exhibit A is a true and correct copy of the Court’s February 7, 2023 Instructions of Law to the Jury (Dkt. No. 143).

3. Attached hereto as Exhibit B are true and correct copies of excerpts of the transcript of trial proceedings on February 3, 2023 (Dkt. No. 157).

4. Attached hereto as Exhibit C are true and correct copies of excerpts of the transcript of trial proceedings on February 7, 2023 (Dkt. No. 161).

5. Attached hereto as Exhibit D is a true and correct copy of a LinkedIn post with comments by jury foreperson Jane Kramer, retrieved on February 15, 2023 from

https://www.linkedin.com/posts/david-h-bernstein-debevoise_metabirkins-verdict-serves-as-warning-for-activity-7029416391321481216-f9n_/?originalSubdomain=pr.

6. Attached hereto as Exhibit E are true and correct copies of excerpts of the transcript of trial proceedings on January 31, 2023 (Dkt. No. 149).

7. Attached hereto as Exhibit F is a true and correct copy of the March 2, 2022 Amended Complaint (Dkt. No. 24).

8. Attached hereto as Exhibit G are true and correct copies of excerpts of the transcript of trial proceedings on February 2, 2023 (Dkt. No. 155).

9. Attached hereto as Exhibit H is a true and correct copy of the March 3, 2023 Memorandum of Law in Support of Plaintiff's Motion for Permanent Injunction (Dkt. No. 166).

10. Attached hereto as Exhibit I are true and correct copies of excerpts of the transcript of trial proceedings on February 6, 2023 (Dkt. No. 159).

11. Attached hereto as Exhibit J are true and correct copies of excerpts of the transcript of trial proceedings on February 1, 2023 (Dkt. No. 153).

12. Attached hereto as Exhibit K is a true and correct copy of the transcript of Mr. Rothchild's Yahoo! News interview, dated December 6, 2021 (Plaintiffs' Ex. 244).

13. Attached hereto as Exhibit L is a true and correct copy of a LinkedIn post with comments made by jury foreperson Jane Kramer, retrieved on February 15, 2023 from https://www.linkedin.com/posts/ari-redbord_excellent-in-depth-reporting-by-zachary-activity-7029147594526212096-SpSr/.

14. Attached hereto as Exhibit M are true and correct copies of excerpts of the September 23, 2022 transcript of the deposition of Blake Gopnik (Dkt. No. 122-2).

15. Attached hereto as Exhibit N is a true and correct copy of a tweet posted by jury foreperson Jane Kramer, dated February 9, 2023, and retrieved on February 15, 2023 from <https://twitter.com/jmkramer65/status/1623781351160791043?s=20&t=vE1GECoyU8BSwaw2tVzX5A>.

Executed this 14th day of March, 2023

/s Adam B. Oppenheim

Adam B. Oppenheim